

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejection set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks.

Claims 57, 59-65, 77, and 79-86 are now pending, with claims 57, 77, and 86 being independent claims. Claim 78 has been cancelled without prejudice or disclaimer of subject matter. Claims 57, 60-62, 64, 77, 79, 81-84, and 86 have been amended. Support for the amendments can be found throughout the originally-filed disclosure. Accordingly, Applicants submit that the amendments do not include new matter.

Claims 57, 59-65, and 77-86 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Eiselen (U.S. Patent No. 3,976,982) in view of Niwamoto (U.S. Patent No. 6,134,347).

Applicants respectfully traverse this rejection. Nevertheless, the claims have been amended herein to clarify certain features of the invention that are not disclosed or suggested by the cited references. To this end, Applicants submit that the claimed invention is patentably distinguishable from the cited references for at least the following reasons.

Amended independent claim 57 recites an image processing system that comprises, inter alia, an image processing apparatus, and a communication channel between the image processing apparatus and an image storage apparatus. The image processing apparatus includes a selection means that is configured to select subsets of material images out of a plurality of material images such that each subset of material images has color information similar to color information of a corresponding block of a plurality of blocks divided from an original image. Amended

independent claims 77 and 86 recite similar features. By virtue of the selection means, material images can be combined to generate a mosaic image in imitation of an original image.

Applicants submit that neither Eiselen nor Niwamoto discloses or selects the combination of features of the recited invention including the claimed selection means.

In Applicants' view, Eiselen discloses an image manipulating apparatus capable of translation, orientation, scale change, creation of a mirror image, and input/output of images. See, e.g., col. 2, lines 23-33. Figure 7 of Eiselen shows an example of image manipulation in the system by which a portion of the left hand column of text and an incoming image are rotated counterclockwise, scaled down, and combined. Notably, however, Eiselen fails to disclose how to specify the portion of the left-hand column of text and the incoming image. As such, Eiselen fails to disclose or suggest anything remotely equitable to the selection means recited in amended independent claims 57, 77, and 86, which, as noted above, includes selecting subsets of material images based on color information.

Applicants further submit that the secondary citation to Niwamoto fails to cure these deficiencies in Eiselen. In Applicants' view, Niwamoto discloses an image filming and compression system for conducting a compression processes with high efficiency. See, e.g., col. 1, lines 9-14. In one aspect of Niwamoto, which is disclosed at col. 2, lines 18-28 and which is specifically cited in the Office Action, the spatial frequency components of a luminance signal and a color difference signals are generated from an image sensed by a solid state sensor and input into a block forming circuit. Applicants submit, however, that this disclosure in Niwamoto falls well short of the claimed selection means. For example, nothing the cited passage indicates any selection of subsets of material images out of a plurality of material images, as recited in amended independent claims 57, 77, and 86. Nor does anything in the cited passage of

Niwamoto indicate any correspondence with respect to color information between a selected subset of material images and a block from a divided plurality of blocks of an original image, as recited in amended independent claims 57, 77, and 86.

Thus, for at least the foregoing reasons, Applicants submit that the combination of Eiselen and Niwamoto fails to disclose or suggest the selection means recited in amended independent claims 57, 77, and 86.

As noted above, amended independent claim 57 further recites a communication channel being provided between the image processing apparatus and the image storage apparatus. By virtue of such a feature, the image processing apparatus is not required to hold all of the material images to be used in processing with the system. Amended independent claims 77 and 86 also recite features related to such a communication channel.

Applicants respectfully submit that Eiselen and Niwamoto fail to disclose or suggest an image processing apparatus that includes the claimed combination of features, and further with a communication channel to an image storage apparatus. In this regard, the Office Action cites col. 4, lines 60-67 of Eiselen as disclosing a “communication channel.” Applicants submit, however, that the disclosure of Eiselen at the cited passage is merely directed at arranging picture elements in the memory of an apparatus. While Applicants acknowledge that claim language is to be given its broadest reasonable interpretation during examination, Applicants respectfully submit that Eiselen’s disclosure of a memory within an apparatus would not be viewed by one of ordinary skill in the art as equating as a communication channel between an image processing apparatus and a separate image storage apparatus, as recited in amended independent claims 57, 77, and 86. Indeed, Applicants submit that one of ordinary skill in the art would understand a “memory” is

part of a single apparatus, not come sort of communication channel between two distinct apparatuses.

Accordingly, for at least the foregoing reasons, Applicants submit that the combination of Eiselen and Niwamoto fails to disclose or suggest the invention recited in amended independent claims 57, 77, and 86.

The dependent claims are allowable for reciting features in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that all of the pending claims are allowable over the references of record, and that the application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection, and passage to issue of the present application are earnestly solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,

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